

RESOLUTION APPROVING AN AGREEMENT WITH SPRING CREEK RANCH, LLC AND AN EXPENDITURE OF FUNDS IN THE AMOUNT OF \$98,400.00 FOR THE RIGHTS TO CONNECT THE PROPOSED COTTON CREEK AREA SEWER SYSTEM TO THE SPRING CREEK RANCH PUMP STATION FOR TRANSPORTATION OF THE WASTEWATER TO THE TOWN OF COLLIERVILLE PUBLICLY OWNED TREATMENT WORKS AND THIS ITEM REQUIRES AN EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$98,400.00. SPONSORED BY COMMISSIONER WYATT BUNKER.

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WHEREAS, Some one hundred and two lots are located in the area known as Cotton Creek which includes the subdivisions of Kirkland Estates, Cotton Creek and Fox Hollow Farms (Phases I and II); and

WHEREAS, The residents of this area have experienced problems with the septic tanks due primarily to inadequate soil percolation rates; and

WHEREAS, The result of these problems represents a health hazard to the neighborhood and downstream water; and

WHEREAS, It has been determined that a Low Pressure Sewer System (LPSS) is the most cost effective manner to collect and transport the wastewater from the lots; and

WHEREAS, The Town of Collierville has agreed in principle to treat their wastewater flow at the Shelton Road Treatment Plant and a resolution for approval of an agreement with Collierville is an accompanying item to this resolution; and

WHEREAS, The Stanford Group in their capacity as operator of the Spring Creek Ranch Country Club has agreed to allow their water to be transported to the Treatment Plant by connection to a Lift (pump) Station owned and operated by the Town of Collierville to which Stanford Group holds capacity rights and obligations; and

WHEREAS, The County is agreeing to reimburse Spring Creek Ranch, LLC in the amount of \$98,400.00 for capital costs incurred and a pro-rata share of the up to \$40,000.00 liability assigned to Spring Creek Ranch, LLC in their development agreement with the Town of Collierville; and

WHEREAS, AFRAM, Inc. has been retained to study the problems, provide recommendations for correction and prepare construction documents for system installation; and

WHEREAS, An amendment to the contract with AFRAM to provide for design of the LPSS is being submitted as a companion item to this resolution; and

WHEREAS, Approval of the amendment to the contract with AFRAM is dependent on approval of the agreement with the Town of Collierville; and


WHEREAS, It is necessary to appropriate funds in the amount of \$98,400.00 to fund this agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Mayor be authorized to sign the Agreement with the Town of Collierville providing for treatment of wastewater from the Cotton Creek area and that such agreement must be in effect prior to signing a contract with AFRAM for the design of plans for the new system.

BE IT FURTHER RESOLVED, That funds are hereby appropriated in the amount of \$98,400.00 from the FY 2008/2009 CIP Budget for CIP Project No. 100106, Cotton Creek Sewer System.


BE IT FURTHER RESOLVED, That the Mayor and Director of Administration and Finance are hereby authorized to issue their warrant or warrants in amounts not to exceed \$98,400.00 for the purposed contained in this resolution to Spring Creek Ranch, LLC and to proper credit in their accounting therefor.



  
A C Wharton, Jr. County Mayor

Date: 

ATTEST:

  
Clerk of County Commission

ADOPTED: SEPTEMBER 22, 2008